

UNITED STATES DISTRICT COURT

for the
Northern District of Texas

BRIAN E. VODICKA)
)
v.) Case No.: 3:19CV056-B
ROBERT L. ERMATINGER and)
SCOTT ROBERT SAYERS)

BILL OF COSTS

Judgment having been entered in the above entitled action on 04/01/2022 against Plaintiff Brian E. Vodicka,
Date
the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ _____
Fees for service of summons and subpoena	_____
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	<u>502.75</u>
Fees and disbursements for printing	_____
Fees for witnesses (<i>itemize on page two</i>)	<u>0.00</u>
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.	_____
Docket fees under 28 U.S.C. 1923	_____
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
TOTAL	\$ <u>502.75</u>

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

☒ Electronic service ☐ First class mail, postage prepaid

☐ Other: _____

s/ Attorney: s/ Lindsay Wilson Gowin

Name of Attorney: Lindsay Wilson Gowin

For: Defendants, Robert L. Ermatinger, Jr. and Scott Robert Sayers Date: 04/15/2022
Name of Claiming Party

Taxation of Costs

Costs are taxed in the amount of _____ and included in the judgment.

By: _____
Clerk of Court *Deputy Clerk* *Date*

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
TOTAL							\$0.00

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:

RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

IN THE UNITED COURT
FOR THE NORTHERN STATES DISTRICT OF TEXAS
DALLAS DIVISION

BRIAN E. VODICKA,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:19CV056-B
	§	
ROBERT L. ERMATINGER, JR. and	§	
SCOTT ROBERT SAYERS,	§	
	§	
Defendants.	§	

Itemization and Documentation for Requested Costs

Defendants Robert L. Ermatinger, Jr. and Scott Robert Sayers submit this itemization and documentation for requested costs set forth in the foregoing Bill of Costs.

Expenses Incurred in the Defense of this Case

- | | |
|---|------------------|
| 1. Delphi Legal Technologies – Invoice No. 2110-128 | |
| TECH Fee (Per Hour) – 1 Hour – | |
| Download and translate audio files | \$ 100.00 |
| 2. Lexitas – Invoice No. 1203146 | |
| Transcript Copy of Detective Saul Monsisvais Deposition | \$ 402.75 |
| GRAND TOTAL: | \$ 502.75 |

Respectfully submitted,

CITY ATTORNEY OF THE CITY OF DALLAS

Christopher J. Caso
City Attorney

s/ Lindsay Wilson Gowin
Lindsay Wilson Gowin
Senior Assistant City Attorney
Texas State Bar No. 24111401
lindsay.gowin@dallascityhall.com

Devin Alexander
Senior Assistant City Attorney
Texas State Bar No. 24104554
devin.alexander@dallascityhall.com

7DN Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201
Telephone: 214.670.3519
Telecopier: 214.670.0622

ATTORNEYS FOR THE DEFENDANTS

CERTIFICATE OF SERVICE

I certify that on April 15, 2022, I electronically filed the foregoing document with the clerk of the court for the U. S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to all attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Lindsay Wilson Gowin

Delphi Legal Technologies

133026 PO Box
Dallas, TX 75313 US
+1 2149696844
www.delphilegal.com



INVOICE

BILL TO

City of Dallas
1500 Marilla
Room 3EN
Dallas, TX 75201

INVOICE # 2110-128

DATE 11/23/2021

DUE DATE 12/23/2021

REF/CM/CASE

Vodicka

DELPHI CONTACT

Barry Bray

CLIENT CONTACT

Patricia Shake

DESCRIPTION	QTY	RATE	AMOUNT
TECH FEE (PER HOUR) - 1 Hour - download and translate audio file *Requested 10/19/21	1	100.00	100.00

If you have any questions, please contact
mbray@delphilegal.com.

BALANCE DUE

\$100.00

PLEASE SEND ALL PAYMENTS TO:

P.O. Box 133026
Dallas, TX 75313-3026



Invoice
Invoice No: 1203146
Invoice Date: 09/1/2021
Payment Terms: Net 30

Bill To:

Lindsay Wilson Gowin
 City of Dallas, City Attorney's Office
 Dallas City Hall 1500 Marilla Street RM 7DN
 Dallas Texas 75201
 United States

Case Name:

Brian E. Vodicka v. Robert L. Ermatinger, Jr. and Scott Robert
 Sayers USDC/Northern District of Texas/Dallas Division Civil
 Action No. 3:19-CV-0056-B

Header:

Job #	Witness Name	Job Date	Location	Claim No.	Case Number	Matter Number
2021-805146	Detective Saul Monsisvais	08/3/2021			3:19-CV-0056- B	

Item	Quantity	Amount
Minimum Transcript Fee - Copy	1	\$200.00
Exhibits - B/W Pages	15	\$12.75
Litigation Bundle	1	\$110.00
Filing Requirements - Copy	1	\$30.00
Legal View Connectivity	1	\$50.00
Electronic Transcript Processing	1	\$0.00

Memo:**Sold To:**

Lindsay Wilson Gowin
 City of Dallas, City Attorney's Office
 Dallas City Hall 1500 Marilla Street RM 7DN
 Dallas Texas 75201
 United States

Subtotal: \$402.75

Please remit payments to:

Lexitas
 PO Box 734298
 Dept 2001
 Dallas, TX 75373-4298

Tax(0%): \$0.00

Total: \$402.75

To pay this invoice by credit card:

- 1) Visit <https://lexitaslegal.com/bill-pay>
- 2) Enter Job# 2021-805146

Payments and Credits: \$0.00

TAX ID 46-4363191

Amount Due \$402.75

1.5% finance charge per month on delinquent balances.

After 10/1/2021 Pay \$408.79

Payment not contingent upon client reimbursement.



Invoice

Invoice No: 1203146

Invoice Date: 09/1/2021

Payment Terms: Net 30

Questions/Inquiries:

Email: Billing@lexitaslegal.com

Phone Number: 888-893-3767